



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

Reply to the attention of Terra Kaethler
ALC File: II-38258

October 14, 2008

Anne de Cosson
2831 East Road
Denman Island, BC V0R1T0

Dear Madam:

Re: Application for Non-Farm Use in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 553/2008 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Please send a copy of a revised plan showing the footprint of the proposed buildings to be consistent with the attached sketch, as well as a detailed farm plan outlining your proposal to increase the agricultural activity on the property for the Commission's review. When the Commission confirms that all conditions have been met, it will give authorization to proceed.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', written in a cursive style.

Erik Karlsen, Chair

cc: Islands Trust Denman Island (DE-ALR-2008-2)

Enclosure: Minutes/Sketch Plan

TK/
i/38258d1.doc



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on September 10, 2008 at the offices the District of Saanich, located at 770 Vernon Ave, Victoria, B.C.

PRESENT:	Lorne Seitz	Chair, Island Panel
	David Craven	Commissioner
	Jennifer Dyson	Commissioner
	Terra Kaethler	Staff
	Roger Cheetham	Staff

For Consideration

Application: # II- 38258
 Applicant: Dharma Fellowship
 Agent: Anne de Cosson
 Proposal: Non-farm use to expand the existing single-family dwelling, studio and cabins to develop a retreat center with accommodations for up to 8 permanent staff and 30 seasonal and short-term guests.
 Legal: PID: 002-835-975
 Location: Lot 2, Section 16, Denman Island, Nanaimo District, Plan 24827
 7131 Denman Road, Denman Island

Site Inspection

A site inspection was conducted on September 8, 2008. Those in attendance were:

- Lorne Seitz Chair, Island Panel
- David Craven Commissioner
- Jennifer Dyson Commissioner
- Terra Kaethler Staff
- Roger Cheetham Staff
- Swan Gardener Representative of applicant
- John Millen Denman Conservancy Association
- Anne de Casson Agent

The Commission met with the proponents and walked the property. The majority of the property was in fields, though there were some wooded sections as well. It was noted that there was some agricultural activity taking place, particularly an orchard area and a portion of the property that was being utilized by a community group to produce potatoes. The applicants indicated that they intended to expand agricultural production on the property and had hired a farm manager. The Commission viewed the portion of the property used currently for the retreat center and discussed with the applicants the location of the proposed expansion. The applicants stated their intention was to keep the building footprint small and clustered in the area of the existing dwellings.

Context

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and

3. to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

Discussion

The Commission assessed the impact of the proposal against the long term goal of preserving agricultural land. Although the expansion of the retreat center alone may have the potential to impact the agricultural use of the property, the Commission noted that the applicants intended to expand the agricultural production on the property to support the retreat center and possibly the wider community of Denman Island. To this end, the Commission discussed that it would appreciate receiving a farm plan detailing the agricultural proposal for the property including financial commitments and time frames associated with the project.

The Commission further discussed the proposed location of the buildings and noted that they would be clustered in the area of the existing buildings, which was on a portion of the property that had minimal agricultural capability. As such, in balance with the proposed improvements to agriculture on the property, the Commission did not believe the proposal would impact existing or potential agricultural use of the subject property or surrounding lands.

Conclusion

That the proposal will not negatively impact agriculture.

IT WAS

MOVED BY: Commissioner Dyson
SECONDED BY: Commissioner Craven

THAT the application be approved for the non-farm use of the retreat center;

AND THAT the approval is subject to the following conditions:

- THAT the preparation of a plan to delineate the area of the proposed new or expanded buildings with a maximum footprint of 1500 square feet be submitted to the Commission.
- THAT the expanded use of the property be limited to accommodate a maximum of 30 people at any given time.
- THAT a farm plan be submitted to the Commission which includes:
 - A plan sketch of the areas of the property to be used for agriculture in accordance with the application, including the orchard, the area used by SPUDS (minimum of one acre), and the nut and fruit trees (minimum of 60 trees)
 - The financial commitment and expected budget of the agricultural enhancements
 - The projected time frame of the implementation of each aspect of the plan
 - The final agreement with SPUDS for the use of a portion of the property for growing potatoes for the community.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED

Resolution # 553/2008

Provincial Agricultural Land Commission

Application # 38258

Resolution #553/2008

Approved location of expansion of retreat center

